

25.07.2024
Item No. 13, DL
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 2579 of 2024

Chhedilal Shaw & Anr.

-Vs-

Pran Krishna Dey & Anr.

Mr. Farooque Ali.

.....for the petitioners.

The defendants in a suit for eviction are the petitioners in the instant application under Article 227 of the Constitution of which is directed against Order No.20 dated May 03, 2024 passed by the learned Judge, 6th Bench, Presidency Small Causes Court at Calcutta in the said suit being *Ejectment Suit No. 202 of 2021*.

The plaintiffs had filed an application under Order VI Rule 17 of the Code of Civil Procedure praying amendment of the plaint to include another ground of eviction, i.e. reasonable requirement. The learned Trial Judge by the order impugned has allowed the said application.

Only the date of peremptory hearing of the suit has been fixed, as such the trial, in its true sense has not yet commenced, at this stage, the learned Trial Judge by allowing the plaintiff to take an additional ground of eviction has not acted either illegally or with material irregularity; the order impugned, therefore, does not call for any interference.

C.O.2579 of 2024 is dismissed without any order as to costs.

Time to file additional written statement is extended for a further period of **two weeks from date.**

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)